

### **DETAILED ACTION**

This is a SUPPLEMENTAL Notice of Allowability to correct an inadvertent error in the Examiner's Amendment in the Notice of Allowance mailed 5/21/09

#### ***Information Disclosure Statement***

The information Disclosure Statement filed on 3/17/09 is considered. However, the document "DORIMAGA" by Softbank Publishing Inc., published November 11, 2002, volume 19, no. 20, cover page was not provided. It appears that this document refers to the vol. 20 document with the printed date of November 8, 2002. Therefore the document, "DORIMAGA" by Softbank Publishing Inc., published November 11, 2002, volume 19, no. 20, cover page was not reviewed, and the document labeled, Vol. 20 dated November 8, 2002 was reviewed instead.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Wegman on 6/24/09.

The application has been amended as follows:

Cancel claims 32-34, 38, 40, 42

Replace claims 23, 36, 37, 39, 41, with the following, respectively:

Claim 23. A video game apparatus, comprising:

- a movement instruction input section that inputs an instruction to move a player character between predetermined locations to which the player character can move on a map;

- a movement section that moves the player character between the predetermined locations in accordance with the instruction to move the player character between the predetermined locations;

- a time lapse section that updates a time unit of a virtual concept in the video game when the player character is moved between the predetermined locations;

- a rule storage that stores a rule to be set in accordance with the updated time unit;

- a rule judge that determines, with reference to the stored rule, a rule applicable when the video game advances, and that updates the rule based on the updated time unit;

- an instruction input device that inputs an instruction to advance the video game;

- a rule violation determiner that determines whether the determined rule is violated based on the instruction to advance the video game, wherein the rule violation determiner determines the degree of the violation of the rule when the rule violation determiner determines that the determined rule is violated;

an item storage that stores items provided to the player as the video game progresses, wherein the item storage stores the items given to the player by classifying the items into groups based on a value;

a penalty processor that imposes a predetermined penalty when the determined rule is violated; wherein the penalty processor deletes a predetermined item stored in the item storage to impose the penalty, the deleted item selected from a group in accordance with the degree of the violation of the determined rule; and

a violation history storage that stores a history of determined violations, wherein the penalty processor imposes the predetermined penalty based on the stored history of violations.

Claim 36. The video game apparatus according to claim 23, further comprising:

an instruction executer that executes processing in accordance with the instruction to advance the video game,

wherein the rule violation determiner determines whether a result of the processing executed in accordance with the instruction to advance the video game is against the determined rule.

Claim 37. A video game apparatus having a memory that stores a video game program and a processor that executes the video game program, the video game program causing the processor to

receive input instruction to move a player character between predetermined locations to which the player character can move on a map;

the processor executing the video game program by:

moving the player character between predetermined locations on a map to which the player character can move in accordance with the instruction to move the player character between the predetermined locations;

updating a time unit of a virtual concept in the video game when the player character is moved between the predetermined locations;

storing a rule to be set in accordance with the updated time unit;

determining, with reference to the stored rule, a rule applicable when the video game advances;

updating the rule based on the updated time unit;

receiving an input instruction to advance the video game;

determining whether the determined rule is violated based on the instruction to advance the video game, wherein the degree of the violation of the rule is determined when the rule is violated;

storing items provided to the player as the video game progresses in an item storage; the stored items classified into groups based on a value;

imposing a predetermined penalty when the determined rule is violated, the penalty imposed by deleting a predetermined item stored in the item storage, the deleted item selected from a group in accordance with the degree of the violation of the determined rule; and

storing a history of determined violations, wherein the predetermined penalty is imposed in accordance with the stored history of violations.

Claim 39. A method for advancing a video game executed by a computer, comprising:

the computer to receive input instruction to move a player character between predetermined locations to which the player character can move on a map;

the computer executing the video game program by:

moving the player character between predetermined locations in accordance with the instruction to move the player character between the predetermined locations;

updating a time unit of a virtual concept in the video game when the player character is moved between the predetermined locations;

storing a rule to be set in accordance with the updated time unit;

determining, with reference to the stored rule, a rule applicable when the video game advances;

updating the rule based on the updated time unit;

receiving an input instruction to advance the video game;

determining whether the determined rule is violated based on the instruction to advance the video game, wherein the degree of the violation of the rule is determined when the rule is violated;

storing items provided to the player as the video game progresses in an item storage; the stored items classified into groups based on a value;

imposing a predetermined penalty when the determined rule is violated, the penalty imposed by deleting a predetermined item stored in the item storage, the deleted item selected from a group in accordance with the degree of the violation of the determined rule; and

storing a history of determined violations, wherein the predetermined penalty is imposed in accordance with the stored history of violations.

Claim 41. A computer-readable storage medium on which a video game program is recorded, the video game program causing a computer to:

receive input instruction to move a player character between predetermined locations to which the player character can move on a map;

the computer to executing the video game program stored on the computer-readable storage medium by:

moving the player character between predetermined locations in accordance with the instruction to move the player character between the predetermined locations;

updating a time unit of a virtual concept in the video game when the player character is moved between the predetermined locations;

storing a rule to be set in accordance with the updated time unit;

determining, with reference to the stored rule, a rule applicable when the video game advances;

updating the rule based on the updated time unit;

receiving an input instruction to advance the video game;

determining whether the determined rule is violated based on the instruction to advance the video game, wherein the degree of the violation of the rule is determined when the rule is violated;

storing items provided to the player as the video game progresses in an item storage; the stored items classified into groups based on a value;

imposing a predetermined penalty when the determined rule is violated, the penalty imposed by deleting a predetermined item stored in the item storage, the deleted item selected from a group in accordance with the degree of the violation of the determined rule; and

storing a history of determined violations, wherein the predetermined penalty is imposed in accordance with the stored history of violations.

***Allowable Subject Matter***

Claims 23, 25-31, 36-37, 39, 41, 44 are allowed.

The following is an examiner's statement of reasons for allowance: A thorough search of the prior art fails to disclose any reference or references, which taken alone or in combination, teach or suggest, in combination with the other limitation, "determining whether the determined rule is violated based on the instruction to advance the video game, wherein the degree of the violation of the rule is determined when the rule is violated;

storing items provided to the player as the video game progresses in an item storage; the stored items classified into groups based on a value;

imposing a predetermined penalty when the determined rule is violated, the penalty imposed by deleting a predetermined item stored in the item storage, the deleted item selected from a group in accordance with the degree of the violation of the determined rule; and

storing a history of determined violations, wherein the predetermined penalty is imposed in accordance with the stored history of violations".

Prior art, "DORIMAGA", vol. 19, no. 20, pages 54-59 (reference provided by Applicant from the IDS dated 12/3/03), discloses a gaming device in which characters can battle in a three-dimensional map. The battles are controlled by rules, and players are penalized for violating the rule. "DORIMAGA", vol. 19, no. 20 discloses the history of the violation is also stored (i.e. keeps track of yellow cards). "DORIMAGA", vol. 19, no. 20 also discloses penalties. More specifically, the penalties can be a loss in HP (disclosed in page 54 section 3) or a loss in money (disclosed in page 57 section 8 as paying a fine). However, "DORIMAGA", vol. 19, no. 20, fails to disclose these items are classified into groups based on a value. HP and money may have values individually. However, the values of HP or money are not values in which they can be classified into groups. Thus "DORIMAGA", vol. 19, no. 20, fails to disclose the claim limitation of storing items in a storage given to the player by classifying the items into groups based on a value, and deleting a predetermined item stored in the item storage, the deleted



item selected from a group in accordance with the degree of the violation of the determined rule.

Prior art, "DORIMAGA", vol. 19, no. 17, pages 40-47 (reference provided by Applicant from the IDS dated 12/3/03), discloses a gaming device in which characters can battle in a three-dimensional map. The battles are controlled by rules, and players are penalized for violating the rule. The history of the violation is also stored (i.e. keeps track of yellow cards). However, "DORIMAGA", vol. 19, no. 17, pages 40-47 fails to disclose storing items provided to the player as the video game progresses in an item storage; the stored items classified into groups based on a value; and deleting a predetermined item stored in the item storage, the deleted item selected from a group in accordance with the degree of the violation of the determined rule.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasson H. Yoo whose telephone number is (571)272-5563. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on (571) 272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JHY

/Peter DungBa Vo/

Supervisory Patent Examiner, Art Unit 3714